

July 9, 2021

Via ECF

Honorable Lorna G. Schofield
U.S. District Court
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, NY 10007

Re: *In re Foreign Exchange Benchmark Rates Antitrust Litigation*
Case No. 1:13-cv-07789-LGS

Dear Judge Schofield:

Pursuant to the Seventh Amended Civil Case Management Plan and Scheduling Order entered in this action (ECF No. 1454), Plaintiffs and Credit Suisse Securities (USA) LLC, Credit Suisse Group AG, and Credit Suisse AG (“Credit Suisse”) submit this joint status letter.

I. Motions

After reaching agreement on the scope of redactions, and in accordance with the Court’s Orders regarding the same (ECF Nos. 1592, 1595), the parties filed their cross-motions for summary judgment in unredacted form with the Court on May 20, 2021 (ECF No. 1594) and redacted form on the public docket on June 4, 2021 (ECF Nos. 1596-1606). As a result, briefing on, and filing of, the parties’ summary judgment motions is complete.

II. Discovery

A. Depositions

Depositions of fact witnesses have concluded. In total, Credit Suisse took 27 depositions of the Plaintiffs and/or their investment advisors. Plaintiffs took 55 fact depositions and eight Rule 30(b)(6) depositions of Defendants, including Credit Suisse. Of the 55 fact depositions taken by Plaintiffs, 26 witnesses invoked the Fifth Amendment protection against self-incrimination.

B. Remaining Deadlines

There are no other remaining discovery deadlines.

III. Litigation Class Notice

In accordance with the Court’s Order Approving the Form and Manner of Notice of the Certified Litigation Class (ECF No. 1546), Plaintiffs disseminated notice to potential Class Members that have been identified in the records maintained by the Claims Administrator. The general request-for-exclusion deadline of February 17, 2021 has passed. For a small subset of Class Members which were mailed notices directly by UBS after January 26, 2021, the request-for-exclusion deadline of April 27, 2021 has also passed. ECF No. 1557. Due to delays in the mail system, including delays occurring outside the United States, the Claims Administrator has continued to receive both valid and untimely requests for exclusion, with the latest one arriving on

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May 27, 2021. Once the Claims Administrator stops receiving requests for exclusion, Class Counsel will file the requests for exclusion with the Court.

IV. Next Joint Status Letter

The parties will submit their next joint status letter on Friday, September 10, 2021.

Respectfully submitted,

SCOTT+SCOTT ATTORNEYS
AT LAW LLP

HAUSFELD LLP

s/ Christopher M. Burke

Christopher M. Burke
600 W. Broadway, Suite 3300
San Diego, CA 92101
Telephone: 619-233-4565
cburke@scott-scott.com

s/ Michael D. Hausfeld

Michael D. Hausfeld
888 16th Street NW, Suite 300
Washington, DC 20006
Telephone: 202-540-7200
mhausfeld@hausfeld.com

Attorneys for Plaintiffs

CAHILL GORDON & REINDEL LLP

s/ Jason M. Hall

David G. Januszewski
Herbert S. Washer
Elai Katz
Jason M. Hall
Sheila C. Ramesh
32 Old Slip
New York, NY 10005
Telephone: 212-701-3000
djanuszewski@cahill.com
hwasher@cahill.com
ekatz@cahill.com
jhall@cahill.com
sramesh@cahill.com

Attorneys for Defendants

*Credit Suisse Group AG, Credit Suisse AG,
and Credit Suisse Securities (USA) LLC*